

**Document:** Proposed Rule, **Register Page Number:** 26 IR 3102

**Source:** June 1, 2003, Indiana Register, Volume 26, Number 9

**Disclaimer:** This document was created from the files used to produce the official CD-ROM Indiana Register. However, this document is unofficial.

**TITLE 345 INDIANA STATE BOARD OF  
ANIMAL HEALTH**

**Proposed Rule**  
LSA Document #02-323

**DIGEST**

Amends 345 IAC 1-3-30 to restrict the movement of certain species of the family cervidae into the state. Adds 345 IAC 1-3-31 to restrict the movement of carcasses and parts thereof of certain species of the family cervidae into the state. Adds 345 IAC 1-3-32 to require full and honest information exchange and authorize penalties for violations. Amends 345 IAC 1-6-2 and 345 IAC 1-6-3 to clarify animal disease reporting requirements. Adds 345 IAC 2-7-2.4 and 345 IAC 2-7-2.5 to clarify interstate and intrastate movement requirements for all cervids. Amends 345 IAC 2-7-3 to clarify requirements for keeping records of cervid movements and identifying animals. Effective 30 days after filing with the secretary of state.

<b>345 IAC 1-3-30</b>	<b>345 IAC 1-6-3</b>
<b>345 IAC 1-3-31</b>	<b>345 IAC 2-7-2.4</b>
<b>345 IAC 1-3-32</b>	<b>345 IAC 2-7-2.5</b>
<b>345 IAC 1-6-2</b>	<b>345 IAC 2-7-3</b>

SECTION 1. 345 IAC 1-3-30, AS AMENDED AT 26 IR 345, SECTION 1, IS AMENDED TO READ AS FOLLOWS:

**345 IAC 1-3-30 Chronic wasting disease**

**Authority:** IC 15-2.1-3-19

**Affected:** IC 15-2.1-3-13; IC 15-2.1-21-6

Sec. 30. (a) Chronic wasting disease (CWD) is not known to exist in the state. CWD has been diagnosed in captive and wild cervids in other states and Canadian provinces. CWD presents a health hazard to the animals of the state that could result in substantial damage to the domestic cervid industry in the state and the state's wild cervid population. Preventing the spread of CWD from cervids in other states is the best currently available method for addressing the CWD threat to animals in the state. The state veterinarian shall continue to evaluate the risks associated with CWD and the available methods for protecting animals in the state from CWD. The state veterinarian shall update the board on his findings. In the interim, because of the current CWD threat, the following provisions apply until May 1, 2003:

(1) Notwithstanding any other provision of this rule, a person may not move, a cervid into or cause to be moved, any of the state. A person may not move cervid following live animals, or semen or cervid embryos from the animals, into the state:

(2) Notwithstanding subdivision (1) A member of the following apply: (A) cervus elaphus species (elk, wapiti, and red deer).

(2) A member of the cervus nippon species (Sika deer, Japanese deer, Japanese Sika deer, spotted deer, and Japanese spotted deer).

(3) A member of the odocoileus hemionus species (mule deer).

(4) A member of the odocoileus virginianus species (whitetail deer).

(5) Hybrids of the species listed in this subsection.

(6) An animal of the family cervidae, if any member of its species has been diagnosed with CWD.

But, a person may move live animals, semen, or embryos from these species under the conditions set forth in subsection (b).

(b) A person may move or cause to be moved a live animal, semen, or embryos of the species listed in subsection (a) into the state by complying with one (1) of the following:

(1) A person may transport a cervid, cervid live animal, semen, and cervid or embryos directly through the state without stopping and unloading the animal, semen, or embryos in the state.

~~(B) Cervid semen and cervid embryos sent out of (2) The person obtains a pre-entry permit from the state for processing and storage may be brought back into veterinarian that authorizes the state if the following conditions are met: movement as follows:~~

~~(i) (A) The person must first apply to the state veterinarian for a pre-entry permit to bring move the cervid animal, semen, or embryos into the state.~~

~~(B) The state veterinarian may require from the an applicant for a pre-entry permit and the applicant must provide any information, including supporting documentation, that is relevant to evaluating the disease risk associated with the movement and compliance with subsections (c) through (f). The state veterinarian may require that the application for a permit be in writing and be submitted not less than forty-eight (48) one hundred twenty (120) hours prior to the movement date.~~

~~(ii) The cervid semen or embryos may not be moved into the state unless the state veterinarian issues a pre-entry permit for the movement.~~

~~(iii) (c) The state veterinarian may issue a pre-entry permit to move cervid semen a live animal and cervid embryos of the species listed in subsection (a) into the state if the epidemiology as it relates to CWD indicates that the proposed movement is consistent with reasonable animal health precautions. (C) The state veterinarian may permit must follow the movement of any principles in subsections (d) through (h) when issuing pre-entry permits.~~

~~(d) Except as provided in subsections (e), (f), and (h), the state veterinarian must follow the following principles when issuing pre-entry permits for live animals and embryos:~~

~~(1) Each animal, semen, or embryo into in the state for the purpose of research or to facilitate the diagnosis, treatment, prevention, or control of disease: (b) After May 1, 2003, a person may not transport into Indiana a cervid proposed movement must originate from an area that originates from a herd that is located meets all of the following conditions:~~

~~(A) The principal animal health official in a the state where of origin has authority to quarantine CWD has infected, CWD exposed, and CWD suspect animals.~~

~~(B) State law in the state of origin requires that a diagnosis of CWD be reported to the principal animal health official of the state.~~

~~(C) The state of origin is engaged in surveillance for CWD in captive and pre-ranging cervids.~~

~~(D) CWD has not been diagnosed in a captive or free-ranging cervid in the state within the sixty (60) months immediately prior to the date of transportation into Indiana unless one (1) of the proposed movement.~~

~~(2) Each animal in the proposed movement must originate from a herd that meets all of the following sets of conditions: are met:~~

~~(1) The animal originates from a herd that meets the following criteria:~~

~~(A) No animal in the herd and no animal that originated from the herd, and no animal that has been traced to the herd has tested been diagnosed as positive for CWD within the sixty (60) months immediately prior to the date of transportation into Indiana.~~

~~(B) The herd has been enrolled in or subject to an official state or federal surveillance program whereby the herd has been monitored for CWD for not less than sixty (60) consecutive months and the owner of the herd is in compliance with the surveillance program requirements. The certification program information shall be disclosed when applying for an entry permit under this section and shall be included on the certificate of veterinary inspection required under section 4 of this rule.~~

~~(2) (e) The state veterinarian issues a may issue a pre-entry permit to transport under this section for any of the following:~~

~~(1) An animal into Indiana if the animal has tested negative for the purpose of slaughter, research, or to facilitate the diagnosis, treatment, prevention, or control of disease. The state veterinarian shall maintain a list of states where CWD using a live animal test that has been diagnosed: approved by the United States Department of Agriculture and the state veterinarian.~~

~~(2) Semen or embryos if the donor animal has tested negative for CWD using a test that has been approved by the United States Department of Agriculture and the state veterinarian.~~

~~(f) The state veterinarian may issue a pre-entry permit under this section to move a live animal of the species listed in subsection (a) into the state directly to slaughter if the following requirements are met:~~

~~(1) An official certificate of veterinary inspection is obtained for the animals on the shipment.~~

~~(2) Each animal is identified and the identification is recorded on the certificate of veterinary inspection.~~

~~(3) The permit requires a copy of the certificate of veterinary inspection to move with the animals and be presented to a state or federal official at the slaughtering plant.~~

- (4) The permit requires that the animals be moved directly to a slaughtering plant inspected by the board or the United States Department of Agriculture without stopping and unloading the animals elsewhere in the state.
- (5) The permit requires that the state veterinarian be allowed to collect samples from each animal for testing for disease.
- (6) The permit contains any other conditions the state veterinarian determines to be necessary to prevent, detect, and control disease.

(g) The state veterinarian may issue a pre-entry permit under this section to move semen from animals of the species listed in subsection (a) into the state if the following requirements are met:

- (1) The semen donor is not a CWD positive, CWD suspect, or CWD exposed animal.
- (2) The semen donor has not been kept on a premise where a CWD positive animal has been kept within the last sixty (60) months.
- (3) The semen donor is not an offspring of a CWD positive animal.
- (4) A veterinarian accredited under 9 CFR Subchapter J prepares a certificate of veterinary inspection for the semen donor and the shipment indicating that the provisions of this subsection are met and that the donor does not currently show any signs of a neurological disorder. The state veterinarian may require a copy of the certificate of veterinary inspection be submitted prior to issuing the pre-entry permit. The certificate must be prepared within the thirty (30) days prior to the shipment into the state.

(h) The state veterinarian may permit the movement of any animal, semen, or embryo into the state under conditions prescribed by the state veterinarian for the purpose of research or to facilitate the diagnosis, treatment, prevention, or control of disease. (*Indiana State Board of Animal Health; 345 IAC 1-3-30; filed Jan 4, 2001, 1:59 p.m.: 24 IR 1338; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; filed Sep 12, 2002, 1:07 p.m.: 26 IR 345*)

SECTION 2. 345 IAC 1-3-31 IS ADDED TO READ AS FOLLOWS:

#### **345 IAC 1-3-31 Chronic wasting disease; carcasses**

**Authority:** IC 15-2.1-3-19

**Affected:** IC 15-2.1-3-13; IC 15-2.1-16; IC 15-2.1-24

**Sec. 31. (a)** The provisions in this section supersede any conflicting provisions in 345 IAC 7-7. Except as provided in subsection (b), a person may not move into the state a carcass or any part thereof of the following animals:

- (1) A member of the cervus elaphus species (elk, wapiti, and red deer).
- (2) A member of the cervus nippon species (Sika deer, Japanese deer, Japanese Sika deer, spotted deer, and Japanese spotted deer).
- (3) A member of the odocoileus hemionus species (mule deer).
- (4) A member of the odocoileus virginianus species (whitetail deer).
- (5) Hybrids of the species listed in this subsection.
- (6) An animal of the family cervidae, if any member of its species has been diagnosed with CWD.

But, semen and embryos authorized for entry under section 30 of this rule may be moved into the state.

(b) Notwithstanding the prohibition in subsection (a), the following apply:

- (1) A person may transport a carcass or parts directly through the state without stopping and unloading the carcass or parts in the state.
- (2) A person may move the following parts into the state:
  - (A) Deboned meat.
  - (B) Carcasses or parts of carcasses with the head or spinal column attached if they are delivered within seventy-two (72) hours after entry to a meat processor inspected under IC 15-2.1-24 for processing.
  - (C) Antlers, including antlers attached to skull caps, if the skull cap is cleaned of all brain and muscle tissue.
  - (D) Hides.
  - (E) Upper canine teeth, also known as “buglers”, “whistlers”, or “ivories”.
  - (F) Heads if they are delivered to a taxidermist licensed by the Indiana department of natural resources within seventy-two (72) hours after entry.
  - (G) Finished taxidermist mounts.

(3) A person licensed as a disposal plant or collection service under IC 15-2.1-16 may move carcasses and parts into the

state if the carcasses and parts are moved directly to a licensed disposal plant.

(4) Samples taken for disease control purposes may be moved directly to a diagnostic laboratory.

(5) The state veterinarian may permit the movement of any carcass or part into the state for the purpose of research or to facilitate the diagnosis, treatment, prevention, or control of disease.

(c) A meat plant accepting live animals for slaughter under section 30 of this rule or carcasses under subsection (b)(2)(B) and a taxidermist accepting carcasses under subsection (b)(2)(F) must dispose of discarded tissue from the animals at a landfill permitted by the Indiana department of environmental management or through a renderer or collection service licensed under IC 15-2.1-16. (*Indiana State Board of Animal Health; 345 IAC 1-3-31*)

SECTION 3. 345 IAC 1-3-32 IS ADDED TO READ AS FOLLOWS:

**345 IAC 1-3-32 Duties of applicants and shippers; violations; penalties**

**Authority:** IC 15-2.1-3-19

**Affected:** IC 15-2.1-3-13; IC 15-2.1-18-9; IC 15-2.1-21-6; IC 15-2.1-21-14

Sec. 32. (a) A person applying for a permit under this rule and any person moving animals into the state under this rule must comply with the following:

(1) The person must provide all information, including supporting documentation, requested by a board representative that is evaluating a permit request or compliance with this rule.

(2) All information provided to board representatives must be complete and accurate.

(3) The person must comply with all relevant provisions of this rule.

(b) Knowingly or intentionally providing false or misleading information to any board representative is a violation of IC 15-2.1-18-9, IC 15-2.1-21-6, and this rule.

(c) Knowingly or intentionally failing to comply with the provisions of this rule is a violation of IC 15-2.1-21-6.

(d) Failing to comply with any provision of this rule is a violation of this rule. The state veterinarian may impose civil penalties under IC 15-2.1-21-14 for any violation of this rule.

(e) The state veterinarian may deny a request for a permit because the provisions of this rule have not been met or have been violated.

(f) The state veterinarian may take any action authorized under IC 15-2.1 or other laws to enforce the provisions of this rule. (*Indiana State Board of Animal Health; 345 IAC 1-3-32*)

SECTION 4. 345 IAC 1-6-2 IS AMENDED TO READ AS FOLLOWS:

**345 IAC 1-6-2 Individual and veterinarian responsibility**

**Authority:** IC 15-2.1-3-19

**Affected:** IC 15-2.1-3-13; IC 15-2.1-18-10

Sec. 2. A diagnostic laboratory, veterinarian, owner, or custodian ~~must report that receives information indicating~~ a clinical diagnosis of any of the following reportable diseases in an animal ~~or article must report that information~~ to the state veterinarian within two (2) business days of ~~receiving the diagnosis:~~ **information:**

(1) Anthrax (*Bacillus anthracis*).

(2) Aujeszky's disease (*Pseudorabies*).

(3) Avian mycoplasmosis (*Mycoplasma gallisepticum*) in turkeys.

(4) Bovine tuberculosis (*Mycobacterium bovis*).

(5) Brucellosis (*Brucella abortus*, *brucella suis*, caprine and ovine brucellosis).

(6) Equine infectious anemia (EIA).

(7) Foreign animal diseases.

(8) Fowl typhoid (*Salmonella gallinarum*).

- (9) Paratuberculosis (Johne's disease, *Mycobacterium paratuberculosis*).
- (10) Pullorum disease (*Salmonella pullorum*).
- (11) Rabies.
- (12) Transmissible spongiform encephalopathies, including the following:
  - (A) Chronic wasting disease.
  - (B) Scrapie.
  - (C) Bovine spongiform encephalopathy.
- (13) Vesicular diseases, including the following:
  - (A) Foot-and-mouth disease.
  - (B) Vesicular stomatitis.
  - (C) Swine vesicular disease.
  - (D) Vesicular exanthema.

*(Indiana State Board of Animal Health; 345 IAC 1-6-2; filed Jul 23, 1992, 2:00 p.m.: 15 IR 2568; filed Oct 11, 1996, 2:00 p.m.: 20 IR 740; filed Jun 17, 1998, 9:03 a.m.: 21 IR 4205; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; filed Dec 31, 2001, 10:00 a.m.: 25 IR 1607)*

SECTION 5. 345 IAC 1-6-3, AS AMENDED AT 25 IR 1607, SECTION 3, IS AMENDED TO READ AS FOLLOWS:

### **345 IAC 1-6-3 Laboratory responsibility**

**Authority: IC 15-2.1-3-19**

**Affected: IC 15-2.1-3-13; IC 15-2.1-18-10**

Sec. 3. For the purpose of participating in the United States Department of Agriculture, National Animal Health Reporting System, a diagnostic laboratory must report a diagnosis of any of the following reportable diseases in an animal ~~located in~~ **or article from Indiana or whose owner is from Indiana** to the state veterinarian within two (2) business days of the diagnosis:

- (1) Multiple species diseases as follows:
  - (A) Anthrax (*Bacillus anthracis*).
  - (B) Aujeszky's disease (*Pseudorabies*).
  - (C) Bluetongue.
  - (D) Bovine tuberculosis (*Mycobacterium bovis*).
  - (E) Brucellosis (*Brucella abortus*, *brucella suis*, caprine and ovine brucellosis).
  - (F) Contagious bovine pleuropneumonia (*Mycoplasma mycoides mycoides*).
  - (G) Foot-and-mouth disease (all FMD virus types).
  - (H) Echinococcosis/hydatidosis.
  - (I) Heartwater (*Cowdria ruminantium*).
  - (J) Leptospirosis.
  - (K) Lumpy skin disease.
  - (L) New World screwworm (*Cochliomyia hominivorax*).
  - (M) Old World screwworm (*Chrysomya bezziana*).
  - (N) Paratuberculosis (Johne's disease, *Mycobacterium paratuberculosis*).
  - (O) Peste des petits ruminants.
  - (P) Q Fever (*Coxiella burnetii*).
  - (Q) Rabies.
  - (R) Rift valley fever.
  - (S) Rinderpest.
  - (T) Transmissible spongiform encephalopathies, including the following:
    - (i) Chronic wasting disease.
    - (ii) Scrapie.
    - (iii) Bovine spongiform encephalopathy.
  - (U) Trichinellosis (*Trichinella spiralis*).
  - (V) Vesicular stomatitis (VS viruses Indiana, New Jersey, or not typed).
- (2) Cattle diseases as follows:
  - (A) Bovine anaplasmosis (*Anaplasma marginale*, *A. centrale*).
  - (B) Bovine babesiosis (*Babesia bovis*, *B. bigemina*).

- (C) Bovine cysticercosis (*Cysticercus bovis* metacestode stage of *Taenia saginata*).
  - (D) Bovine genital campylobacteriosis (*Campylobacter fetus venerealis*).
  - (E) Dermatophilosis (*Dermatophilus congolensis*).
  - (F) Enzootic bovine leukosis (BLV).
  - (G) Haemorrhagic septicaemia (*Pasteurella multocida*, B/Asian or E/African serotypes).
  - (H) Infectious bovine rhinotracheitis/infectious pustular vulvovaginitis (IBR/IPV).
  - (I) Malignant catarrhal fever (Bovine malignant catarrh, wildebeest associated).
  - (J) Theileriosis (*Theileria annulata*, *T. parva*).
  - (K) Trichomonosis (*Trichomonas (Trichomonas) foetus*).
  - (L) Trypanosomosis (*Trypanosoma congolense*, *T. vivax*, *T. brucei brucei*).
- (3) Sheep and goat diseases as follows:
- (A) Caprine and ovine brucellosis (excluding *B. ovis*).
  - (B) Caprine arthritis/encephalitis (CAE).
  - (C) Contagious agalactia (*Mycoplasma agalactiae*, *M. capricolum capricolum*, *M. putrefaciens*, *M. mycoides mycoides*, *M. mycoides mycoides* (LC)).
  - (D) Contagious caprine pleuropneumonia (*Mycoplasma capricolum capripneumoniae*).
  - (E) Enzootic abortion of ewes (Ovine Psittacosis, *Chlamydia psittaci*).
  - (F) Ovine pulmonary adenomatosis.
  - (G) Maedi-visna/ovine progressive pneumonia.
  - (H) Nairobi sheep disease.
  - (I) Ovine epididymitis (*Brucella ovis* infection).
  - (J) Salmonellosis (*Salmonella abortusovis*).
  - (K) Sheep pox and goat pox.
- (4) Equine diseases as follows:
- (A) African horse sickness.
  - (B) Contagious equine metritis (*Tylorella equigenitalis*).
  - (C) Dourine (*Trypanosoma equiperdum*).
  - (D) Epizootic lymphangitis (*Histoplasma farciminosum*).
  - (E) Equine encephalomyelitis (Eastern and Western).
  - (F) Equine infectious anemia (EIA).
  - (G) Equine influenza (virus type A).
  - (H) Equine piroplasmiasis (Babesiosis, *Babesia (Piroplasma) equi*, *B. caballi*).
  - (I) Equine rhinopneumonitis (1 and 4).
  - (J) Equine viral arteritis (EVA).
  - (K) Glanders (*Pseudomonas mallei*).
  - (L) Horse mange.
  - (M) Horse pox.
  - (N) Japanese encephalitis.
  - (O) Surra (*Trypanosoma evansi*).
  - (P) Venezuelan equine encephalomyelitis.
- (5) Swine diseases as follows:
- (A) Atrophic rhinitis of swine (*Bordetella bronchiseptica*, *Pasteurella multocida*).
  - (B) African swine fever.
  - (C) Classical swine fever.
  - (D) Enterovirus encephalomyelitis.
  - (E) Porcine brucellosis (*Brucella suis*).
  - (F) Porcine cysticercosis (*Cysticercus cellulosae* metacestode stage of *Taenia solium*).
  - (G) Porcine reproductive and respiratory syndrome (PRRS).
  - (H) Swine vesicular disease.
  - (I) Transmissible gastroenteritis (TGE).
- (6) Avian diseases as follows:
- (A) Avian chlamydiosis (Psittacosis and Ornithosis, *Chlamydia psittaci*).
  - (B) Avian infectious bronchitis.
  - (C) Avian infectious laryngotracheitis.

- (D) Avian influenza.
  - (E) Avian mycoplasmosis (*Mycoplasma gallisepticum*).
  - (F) Avian tuberculosis (*Mycobacterium avian*).
  - (G) Duck virus hepatitis.
  - (H) Duck virus enteritis.
  - (I) Fowl cholera (*Pasturella multocida*).
  - (J) Fowl pox.
  - (K) Fowl typhoid (*Salmonella gallinarum*).
  - (L) Infectious bursal disease (Gumboro disease).
  - (M) Marek's disease.
  - (N) Newcastle disease.
  - (O) Pullorum disease (*Salmonella pullorum*).
- (7) Fish diseases as follows:
- (A) Viral haemorrhagic septicaemia.
  - (B) Spring viraemia of carp.
  - (C) Infectious haematopoietic necrosis.
  - (D) Epizootic haematopoietic necrosis.
  - (E) *Oncorhynchus masou* virus disease.

*(Indiana State Board of Animal Health; 345 IAC 1-6-3; filed Jul 23, 1992, 2:00 p.m.: 15 IR 2568; filed Oct 11, 1996, 2:00 p.m.: 20 IR 740; filed Jun 17, 1998, 9:03 a.m.: 21 IR 4205; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; filed Dec 31, 2001, 10:00 a.m.: 25 IR 1607)*

SECTION 6. 345 IAC 2-7-2.4 IS ADDED TO READ AS FOLLOWS:

**345 IAC 2-7-2.4 Interstate movement**

**Authority:** IC 15-2.1-3-19

**Affected:** IC 15-2.1-3-13

**Sec. 2.4. A person moving a cervid into the state must comply with the requirements in this article and 345 IAC 1-3.**  
*(Indiana State Board of Animal Health; 345 IAC 2-7-2.4)*

SECTION 7. 345 IAC 2-7-2.5 IS ADDED TO READ AS FOLLOWS:

**345 IAC 2-7-2.5 Intrastate movement**

**Authority:** IC 15-2.1-3-19

**Affected:** IC 15-2.1-3-13

**Sec. 2.5. A person moving a cervid within the state must meet the following requirements:**

- (1) The animal must be identified.**
- (2) The requirements in this article concerning tuberculosis control must be met.**
- (3) The requirements in this article concerning brucellosis control must be met.**

*(Indiana State Board of Animal Health; 345 IAC 2-7-2.5)*

SECTION 8. 345 IAC 2-7-3, AS AMENDED AT 26 IR 347, SECTION 3, IS AMENDED TO READ AS FOLLOWS:

**345 IAC 2-7-3 Herd registration**

**Authority:** IC 15-2.1-3-19

**Affected:** IC 15-2.1-3-13; IC 15-2.1-18-9; IC 15-2.1-18-11

Sec. 3. (a) The owner of a cervid located in Indiana must meet the following requirements:

- (1) The owner shall register with the state veterinarian each location where his or her cervids are kept.
- (2) **Every Each** animal in the herd must be uniquely identified **at the earliest of the following events:**
  - (A) At the time the animal is moved onto the premises.**
  - (B) At the time the animal is moved off of the premises.**

(C) At the time the animal is held for testing, vaccination, or veterinary care of any kind.

(D) At the time the animal is held for semen, embryo, antler, or other collection from the animal.

**Animals that have existing identification do not need to be reidentified upon the occurrence of these events if the existing identification meets the criteria for identification prescribed by the state veterinarian and the existing identification is recorded in the herd inventory.** The state veterinarian shall prescribe the methods by which cervids shall be identified.

(3) The owner must keep a complete, accurate, and current herd inventory. A herd inventory shall include the following:

(A) A record of each animal that is part of the herd, ~~and its identification,~~ **the date the animal was identified, and the event triggering its identification.**

(B) A record of each animal that is added to the herd, including the date the animal is added and the source of the animal. If the source of the animal is from outside the owner's herd, the name and address of the source.

(C) A record of each animal that is removed from the herd, ~~including the cause for removal~~ **(sale, escape, death by accident, or death by other means),** the date removed, and the name and address of the animal's destination.

(4) Upon request of the state veterinarian, the owner or custodian of the animals must do the following:

(A) Provide the state veterinarian access to or a copy of the written herd inventory.

(B) Present each animal in the herd to the state veterinarian for inspection and verification of identification.

(C) Provide access to any animal in the herd for testing, identification, or evaluation.

(5) Upon the death of any animal in the herd for any reason the owner shall immediately notify the state veterinarian. The state veterinarian may inspect any dead cervid and take tissues or other material necessary or helpful for detecting ~~CWD~~ **disease**. The owner shall dispose of the remaining carcass as directed by the state veterinarian. **The state veterinarian may require that the owner identify the carcass in a particular manner. The owner must allow the state veterinarian to collect samples from any animal sent to slaughter.**

(6) The herd must be enclosed in a perimeter fence that is made from materials that will prevent cervids from entering or leaving through the structure, has no openings that will allow ingress or egress, and measures at least eight (8) feet from the ground to the top of the fence at all parts of the structure. The state veterinarian may approve a perimeter fence enclosing smaller cervids that is lower than eight (8) feet if the fence is likely to contain the animals.

(b) The state veterinarian may conduct an epidemiologic evaluation of any cervid herd, including testing any animal if it furthers the goal of animal disease surveillance and control. The state veterinarian may consider all relevant factors, including the length of time the herd has been under a CWD surveillance program, the herd's health history, the potential effects of any additions to the herd, and the potential effect of wild cervids on the herd when evaluating herds under this subsection.

(c) The requirements in this section do not apply to a person possessing a dead wild cervid taken pursuant to a hunting permit issued by the Indiana department of natural resources. (*Indiana State Board of Animal Health; 345 IAC 2-7-3; filed Jan 4, 2001, 1:59 p.m.: 24 IR 1339; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; filed Sep 12, 2002, 1:07 p.m.: 26 IR 347*)

### **Notice of Public Hearing**

*Under IC 4-22-2-24, notice is hereby given that on July 10, 2003 at 9:40 a.m., at the Indiana State Board of Animal Health, 805 Beachway Drive, Suite 50, Indianapolis, Indiana the Indiana State Board of Animal Health will hold a public hearing on proposed amendments to rules concerning health requirements to move cervids into the state and to keep cervids in the state relating to the prevention and control of chronic wasting disease. Copies of these rules are now on file at the Indiana State Board of Animal Health, 805 Beachway Drive, Suite 50 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.*

Bret D. Marsh  
Indiana State Veterinarian  
Indiana State Board of Animal Health